



Board for Judicial Administration (BJA) Meeting

Friday, November 21, 2014 (9 a.m. – Noon)

AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

MEETING MINUTES

BJA Members Present:

Chief Justice Barbara Madsen, Chair
Judge Kevin Ringus, Member Chair
Judge Veronica Alicea-Galvan
Judge Thomas Bjorgen
Judge Bryan Chushcoff
Judge Harold Clarke III
Mr. Anthony Gipe
Judge Judy Rae Jasprica
Judge Kevin Korsmo
Judge Michael Lambo
Judge John Meyer (by phone)
Judge Sean O'Donnell
Justice Susan Owens
Judge Jeffrey Ramsdell
Judge Ann Schindler
Judge Laurel Siddoway
Judge Scott Sparks
Judge David Steiner

Guests Present:

Mr. Jeff Amram (by phone)
Mr. Jim Bamberger
Ms. Suzanne Elsner
Judge Warren Gilbert
Ms. Ruth Gordon
Judge David Svaren

AOC Staff Present:

Mr. David Elliott
Ms. Beth Flynn
Mr. Steve Henley
Ms. Shannon Hinchcliffe
Mr. Dirk Marler

Judge Ringus called the meeting to order.

Governance Essentials Recap

The Governance Essentials session was reviewed and discussed. A written recap was included in the meeting materials.

During the discussion several ideas were brought up including:

- Hold a regular board orientation during a summer meeting so all of the BJA members are hearing the same information.
- Develop BJA education/information sessions for use at conferences.
- The BJA could survey courts to find out what they need from the BJA or what their understanding of the BJA is.
- Send information to the courts via newsletters or enhanced meeting minutes regarding BJA projects.
- Review Justice in Jeopardy goals and work on the ones that were not met.

Next steps will be to develop a board orientation; look for an opportunity to discuss the BJA at Judicial College; and make agendas more robust and not pack as much into them so members can have time to fully discuss the issues.

October 17 BJA Meeting Minutes

It was moved by Judge Lambo and seconded by Judge Jasprica to approve the October 17, 2014 BJA meeting minutes. The motion carried.

BJA Committee Recommendations

As a result of the October meeting discussion regarding the BJA Best Practices Committee, there is an alternative Best Practices Committee recommendation on Page 9 of the meeting materials. Ms. Hinchcliffe developed the recommendation after further discussion with Judge Jean Rietschel and Judge Janet Garrow.

The recommendation is mostly procedural because the BJA Best Practices Committee, as a standing committee, has sunsetted with the amendment to BJAR 3 but there are some things to do to wrap everything up. The BJA Policy and Planning Committee will need to review whether it would be useful to have an ad hoc committee work on either the wrap up or follow up issues.

The options before the BJA are to 1) adopt the original recommendation on page 10, 2) adopt the alternative recommendation on page 9, 3) move this issue back to a discussion item, or 4) send this back to the BJA Policy and Planning Committee. The original recommendation was a little more ambitious than the alternative recommendation.

It was moved by Judge Alicea-Galvan and seconded to approve Recommendation A on Page 9 of the meeting materials which will wrap up the work of the BJA Best Practices Committee. The motion carried.

2015 Meeting Schedule

It was moved by Judge Alicea-Galvan and seconded by Judge Ramsdell to approve the proposed 2015 BJA meeting schedule. Judge Jasprica made a friendly amendment to change the meeting time from 9 a.m. – noon and Judge Alicea-Galvan and Judge Ramsdell accepted the amendment. The motion carried.

BJA Public Trust and Confidence Committee Appointments

It was moved by Justice Owens and seconded by Judge Alicea-Galvan to reappoint Judge Bill Bowman, Judge James Docter and Mr. Michael Killian and to appoint Judge Brad Maxa, Ms. Paula Rehwaldt and Ms. Dot French to the BJA Public Trust and Confidence Committee. The motion carried.

BJA 2015 Legislative Agenda

Judge Svaren stated that he is seeking support and assistance from the BJA to get the Legislature to approve a third judicial position in Skagit County District Court. There are currently two judges, one full-time commissioner, and one part-time commissioner. The Judicial Needs Estimate states they need 4.33 FTE when also considering the municipal courts they handle. The county commissioners agree with the request and wrote a letter of support which is

on Page 31 of the meeting materials. They are requesting the BJA's assistance in seeking the third judicial position.

Judge O'Donnell reported that the BJA Legislative Committee discussed the third Skagit County District Court judge and Judge Alicea-Galvan stated that she hopes to have a letter from the District and Municipal Court Judges' Association (DMCJA) supporting this but they have to discuss it at their next meeting.

It was moved by Judge Alicea-Galvan and seconded by Judge Ramsdell to make this an action item. The motion carried.

It was moved by Judge Meyer and seconded by Judge Sparks to support the request for a third judge in Skagit County District Court. The motion carried.

Judge O'Donnell stated that the BJA Legislative Committee met on October 30 and identified the following legislative items to focus on during the 2015 legislative session:

1. Secure continued funding for the Superior Court Case Management System Project
2. Transcriptionist bill
3. Elections for the Supreme Court (the group is still reviewing this issue)
4. Funding issues

The committee meets again on December 11 from 1-3 p.m. Professor Alexes Harris has put together a presentation regarding legal financial obligations (LFO) collections in Washington State. The BJA might want to be more involved in LFO issues as this continues to be a major topic at the Legislature and within the judicial branch. Professor Harris will come in and talk with the committee about this issue at the December 11 committee meeting; all BJA members are invited to attend.

Standing Committee Reports

Budget and Funding Committee: The BJA Budget and Funding Committee met after the October BJA meeting and agreed to look at the Principal Policy Goals and come up with criteria to use for funding requests. Once the criteria are finalized by the committee, they will be brought to the BJA for approval. There was also discussion about the Trial Court Operations Funding Committee (TCOFC) and Judge Schindler and Judge Ramsdell both agreed that it should be eliminated. Judge Ramsdell stated that the Trial Court Advocacy Board (TCAB) can do a better job of determining which funding requests to support. If the BJA can provide some funding ideas, TCAB will be able to prioritize those ideas on a yearly basis.

Court Education Committee: Judge Meyer reported that the Court Education Committee has not had an official meeting recently but they are pulling together a large amount of information for committee members to review. Judge Meyer and Ms. Judith Anderson will be meeting with Commissioner Eric Schmidt, Board for Court Education Chair, next week to review a transition packet. They began creating a work plan for the committee. There was a faculty development program that was completed with 11 participants last month and last week was the Presiding Judges Conference which included a particularly interesting presentation on security issues and procedures which is available on Inside Courts at this link:

<https://inside.courts.wa.gov/index.cfm?fa=controller.ShowBceSessionFiles&program=20141116-2-Presiding Judges Program - November 16 - 18, 2014&session=20141117-Court Security Issues and Procedures>.

Legislative Committee: In addition to the work of the Legislative Committee that was shared earlier in the meeting, Judge O'Donnell and Ms. McAleenan made some connections with lobbyists in preparation for the 2015 session. Mr. Elliott gave a brief overview of the status of legislative work sessions and meetings which have included topics such as LFOs, electronic home monitoring/electronic monitoring, impaired driving and others.

Policy and Planning Committee: The Policy and Planning Committee will be meeting after today's BJA meeting.

Administrative Manager's Report

Ms. Hinchcliffe e-mailed the Committee Unification Workgroup report to the BJA listserv. It will be posted on the Washington Courts Web site once the SCJA charters are included. The report can serve as a good resource to understand the depth and breadth of the commission, committee and board structure within the Washington state judiciary. At this point in time the Committee Unification Workgroup work is done and there is always an opportunity to use this report as a baseline or for another discussion. Judge Sparks requested that this document be used in the orientation for new members.

Ms. Hinchcliffe is drafting a BJA members' guide which is still being developed. She is also creating a work plan that will map out what the BJA standing committees are doing so BJA agenda items and times can be anticipated. It will also hopefully help highlight any outstanding duties which the Board needs to focus on.

Other Business

Washington State Association of County Clerks (WSACC): Ms. Gordon reported that the WSACC legislative agenda includes a bill and rule regarding courthouse guardianship facilitation for pro se litigants. They also have another bill for clean-up purposes.

District and Municipal Court Management Association (DMCMA): Ms. Elsner stated the DMCMA is realigning their educational core competencies to match the National Association of Court Management's (NACM) core competencies. They are also heavily involved in moving the Courts of Limited Jurisdiction Case Management System forward.

Superior Court Judges' Association (SCJA): Judge Ramsdell said that the SCJA has a legislative meeting on December 6.

Trial Court Advocacy Board (TCAB): TCAB sent out congratulatory letters to legislators letting them know who their local judges are and invited them to visit their local courthouses so they can be on the front end of the communication.

District and Municipal Court Judges' Association (DMCJA): Judge Steiner stated that the DMCJA had a good presentation from the Northwest Justice Project relating to LFOs which are

keeping some people from being relicensed. There is a proposed security rule that is being reviewed by the DMCJA, SCJA and TCAB. TCAB would adopt minimum key security standards and local courts would have the ability to meet the standards. Part of the security rule would require courts to submit information about security incidents.

Court of Appeals (COA): Judge Korsmo reported that Governor Inslee appointed seven of their 22 members and former Governor Gregoire appointed three during her term and nearly half of the COA judges have been there less than two years.

Supreme Court: Chief Justice Madsen said that it looks like one-half to one-third of the judiciary will be eligible to retire soon and will require a focus on developing leadership because such a large portion of Washington's judges could be leaving the bench. Justice Owens reported that the Supreme Court had to curtail their traveling court during the fiscal crisis and were able to start it back up last year. They will be holding court at Seattle University in January and at Heritage University near Yakima in March.

It was moved by Judge Ramsdell and seconded by Judge Alicea-Galvan to adjourn the meeting. The motion carried.

Recap of Motions from the November 21, 2014 meeting

Motion Summary	Status
Approve the October 17, 2014 BJA meeting minutes	Passed
Approve the alternative (Recommendation A) Best Practices Committee recommendation on Page 9 of the meeting materials	Passed
Approve the recommended 2015 BJA meeting schedule but change the meeting time to 9 a.m. to noon	Passed
Approve the BJA Public Trust and Confidence Committee appointments and reappointments	Passed
Make the Skagit County District Court judge request an action item	Passed
Support Skagit County District Court's request for a new judge	Passed

Action Items from the November 21, 2014 meeting

Action Item	Status
<u>October 17, 2014 BJA Meeting Minutes</u> <ul style="list-style-type: none"> Post the minutes online Send minutes to the Supreme Court for inclusion in the En Banc meeting materials 	Done Done
<u>2015 BJA Meeting Schedule</u> <ul style="list-style-type: none"> Change the meeting time to 9 a.m. – noon Add to BJA Web site Send to BJA members 	Done Done Done
<u>BJA Public Trust and Confidence Committee Appointments</u> <ul style="list-style-type: none"> Notify Justice Mary Fairhurst and Margaret Fisher of BJA action Send appointment letters 	Done In progress

Action Item	Status
<u>Best Practices Committee Recommendation</u> <ul style="list-style-type: none"> • Send a notice to those that were on the Best Practices Committee letting them know that the BJA is sunsetting the standing committee and is working on a wrap up effort—ask them if they would like to assist in the wrap up process • Compile all the measures that have been completed (and list the ones that were not finished or were yet to be done) in a final document for presentation to the BJA • Have the Policy and Planning Committee recommend whether to: <ul style="list-style-type: none"> a. Assemble an ad hoc committee which is activated when there is a Best Practices issue that comes up or if the BJA wants to continue any more work or look at implementation of the measures; the committee would only be used when there is a pending or discreet issue to resolve b. Determine whether any additional steps should be recommended after the wrap up report is completed 	<p>In progress</p> <p>In progress</p> <p>In progress</p>
<u>BJA 2015 Legislative Agenda</u> <ul style="list-style-type: none"> • Add to December BJA meeting agenda for action • Notify Mellani McAleenan of action regarding Skagit County District Court judge request 	<p>Done</p>
<u>Trial Court Operations Funding Committee Recommendation</u> <ul style="list-style-type: none"> • Add to December BJA meeting agenda for action 	<p>Done</p>